



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Vinay Deo

Appln. No.: 09/764,794

Filed : January 17, 2001

For : A SYSTEM FOR BROADCASTING TO,
AND PROGRAMMING, A MOBILE
DEVICE IN A PROTOCOL, DEVICE
AND NETWORK INDEPENDENT
FASHION

Docket No.: M61.12-0685

Group Art Unit: 2134

Examiner: Michael J.
Simitoski

RECEIVED

OCT 20 2004

Technology Center 2100

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 CFR § 1.321(b))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING
SENT BY U.S. MAIL, FIRST CLASS, TO THE
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-1450, THIS

12th DAY OF October, 2004

Theresa V. V. V.
PATENT ATTORNEY

Sir:

Interest of Person Making This Disclaimer

We represent that we are

- ☐ an inventor of this invention.
- ☐ an assignee of this invention.
- ☐ a representative authorized to sign on behalf
of the assignee of this invention.
- ☒ an attorney of record for this application.

Identity of Assignee and Title of Disclaimant (If Applicable)

The assignee is Microsoft Corporation, One Microsoft
Way, Redmond, WA 98052. The title of the Disclaimant is ---, and
the Disclaimant is authorized to sign on behalf of Assignee.

Extent of Interest

The extent of our interest is in

- ☒ the whole of this invention.
- ☐ a sectional interest in this invention as
follows: .

Disclaimer

We hereby disclaim the term of any patent granted on the above-identified application subsequent to

☒ the full term of United States Patent No. 6,496,928 as presently shortened by any terminal disclaimer,

or

☐ the term of any patent granted on application number ____,

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

☒ United States Patent No. 6,496,928, and

☐ any patent granted on application number ____, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

We do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

☒ United States Patent No. 6,496,928, as presently shortened by any terminal disclaimer, and

☐ any patent granted on application number ____,

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

MICROSOFT CORPORAION

By: _____ Date: _____

Fee Status

(37 CFR § 1.20(d))

- ☒ other than a small entity \$110.00
☐ small entity status of this application under
37 CFR §§ 1.9 and 1.27 is established by a
verified statement . \$ 55.00

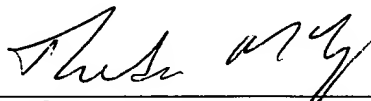
Fee Payment

- ☒ Attached is a check in the sum of \$110.00.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Theodore M. Magee, Reg. No. 39,758
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

JRK:slg